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NO. 5363 P. 5

Atty. Dkt. No. SALK3130-1 (088802-9702)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Downes et al.

Title: NON-STEROIDAL FARNESOID
X RECEPTOR MODULATORS
AND METHODS FOR THE USE
THEREOF

Appl. No.: 10/658,115

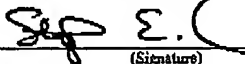
Filing Date: 09/08/2003

Examiner: Dentz, Bernard

Art Unit: 1625

Conf. No. 9689

Mail Stop Issue Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below. Stephen E. Reller (Printed Name)  (Signature) July 21, 2006 (Date of Deposit)

AMENDMENT UNDER 37 CFR § 1.312

Sir:

This post allowance amendment is being submitted on even date with the payment of the issue fee, pursuant to the recently received Notice of Allowance and Fee(s) Due mailed on June 8, 2006. The time for payment of the Issue Fee is set to expire on September 8, 2006. Accordingly, this communication is timely filed.

Responsive to the Examiner's comments contained in the Examiner's Amendment dated June 8, 2006, Applicants seek to clarify the record. Applicants respectfully disagree with the Examiner's characterization of cancelled claims 33-35 as "non-enabled method of use claims" (Notice of Allowability, p. 2). As argued in Applicants' communication dated January 19, 2006, Applicants maintain that these claims are fully enabled by the application. Claims 33-35 were

DLMR_288038.1